

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GASPAR FELICIANO SALAS and
LISA ELIZABETH CAUDRON,

Defendants.

CR 20-33-BLG-DLC

ORDER

Before the Court is the Unopposed Motion of the United States for Issuance of a Preliminary Order of Forfeiture. (Doc. 86.) Pursuant to 21 U.S.C. §§ 853(a)(1) and(2), 881(a)(11) and 18 U.S.C. § 924(d), the government sought forfeiture of any of Defendants' property that was used or intended to be used to facilitate the violations alleged in the Indictment. (*See* Doc. 19.)

After reviewing the record and the instant motion, the Court makes the following findings:

(1) On August 6, 2020, Defendant Gaspar Feliciano Salas entered pleas of guilty to Counts I, II, and III of the Indictment. (Docs. 47, 48.) On May 18, 2021, Defendant Lisa Elizabeth Caudron entered a plea of guilty to Count II of the Indictment. (Docs. 83, 85.)

(2) Both Defendants pled true to the forfeiture allegation contained in the Indictment that they shall forfeit the following property as a result of their convictions:

- a Walther Arms, 9mm handgun (serial number AX7003); and
- 7 rounds of 9mm ammunition.

(Docs. 47, 79.)

(2) Pursuant to 21 U.S.C. § 841(a)(1), 21 U.S.C. § 853, and Rule 32.2(b)(2), Federal Rules of Criminal Procedure, the United States is now entitled to possession of the foregoing property by virtue of Defendants' respective guilty pleas.

Accordingly, IT IS ORDERED that:

(1) The motion (Doc. 86) is GRANTED.

(2) Based upon the pleas of guilty by Defendant Salas to Counts I, II and III, and by Defendant Caudron to Count II of the Indictment, and the pleas of true to the forfeiture allegation, the United States is authorized and ordered to seize the following property:

- a Walther Arms, 9mm handgun (serial number AX7003); and
- 7 rounds of 9mm ammunition.

This property is forfeited to the United States for disposition in accordance with the law, subject to the provisions of to 21 U.S.C. § 853(n)(1).

(3) The forfeited property is to be held by the United States in its secure custody and control.

(4) Pursuant to 21 U.S.C. § 853(n)(1), the United States shall publish at least once for three successive weeks in a suitable means of general circulation notice of this Order, notice of the United States' intent to dispose of the property in such manner as the Attorney General may direct, and notice that any person, other than the Defendants, having or claiming a legal interest in the above-listed forfeited property must file a petition with the Court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practical, provide direct written notice to any person known to have alleged an interest in the property that is the subject of this Order, as a substitute for published notice as to those persons so notified.

(5) That upon adjudication of all third-party interests, this Court will enter a final order of forfeiture, pursuant to 21 U.S.C. § 853(n).

DATED this 22nd day of June, 2021.



Dana L. Christensen, District Judge
United States District Court